



Public Notice

US Army
Corps
of Engineers
Memphis District

REPLY TO ATTN:
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-0731
Fax (901) 544-0211
Email: reginald.c.wuornos@mvm02.usace.army.mil
POSTMASTER PLEASE POST UNTIL: February 27, 2004

PUBLIC NOTICE NO:
AR-2003-12 (RW)
REFERENCE NUMBER:
200300012
PUBLIC NOTICE DATE: January 28, 2004
EXPIRATION DATE: February 27, 2004

Joint Public Notice
Corps of Engineers
and
State of Arkansas

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

CO-APPLICANT: Mark Waldrip
6378 Highway 78 W.
Moro, Arkansas 72368
(870) 768-4554 Business

CO-APPLICANT: City of Moro, Arkansas by David Waldrip-Mayor
PO Box 98
Moro, Arkansas 72368
(870) 768-4600 Moro City Hall

LOCATION: The project is located at the north end of the city of Moro, (Section 10 Township 2N Range 1E) in Lee County, Arkansas, at approximate latitude 34 -48-10.8000 and longitude 90 -59-45.6000 on the Moro 7.5 minute quadrangle map (see attached topographic map and aerial photograph).

PURPOSE: The co-applicants have two stated purposes to this project. One purpose is to relieve the damaging and destabilizing effect of standing water on the roadbed of Highway 78 where it rounds a curve at the north end of the City of Moro and to reduce the traffic hazard to motorists and farmers operating farm equipment while rounding the same curve. The traffic hazard is caused by wetland vegetation obstructing the field of vision while traveling in both directions around the curve. The second purpose is to convert the cleared area to cropland.

DESCRIPTION OF WORK: An unnamed tributary to Little Hog Tusk Creek would be cleaned out to increase the drainage efficiency of water away from Highway 78 at the curved location. Excavated material from the tributary clean out would be deposited in the wetlands alongside the tributary. Approximately 3.5 acres of seasonally inundated wetland consisting of American Elm, (*Ulmus americana*), Pin Oak, (*Quercus palustris*) and Cattail, (*Typhus species*), would be cleared to create an unobstructed view while traveling along Highway 78 in either direction. Material from an adjacent field would be used as fill material to raise the elevation and convert the land to agricultural use. A levee 18" high with drop pipes would be constructed to prevent the washout of fill material across Highway 78 into the unnamed tributary. The applicants have agreed to mitigate for the loss of the wetlands at a 1:1 ratio by planting trees in an area designated as prior converted cropland (refer to the enclosed topographic map and aerial photograph of the mitigation site).

WATER QUALITY CERTIFICATION: By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

Mark Waldrip
AR-2003-12 (RW)

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CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a reconnaissance survey of the project area.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the project, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

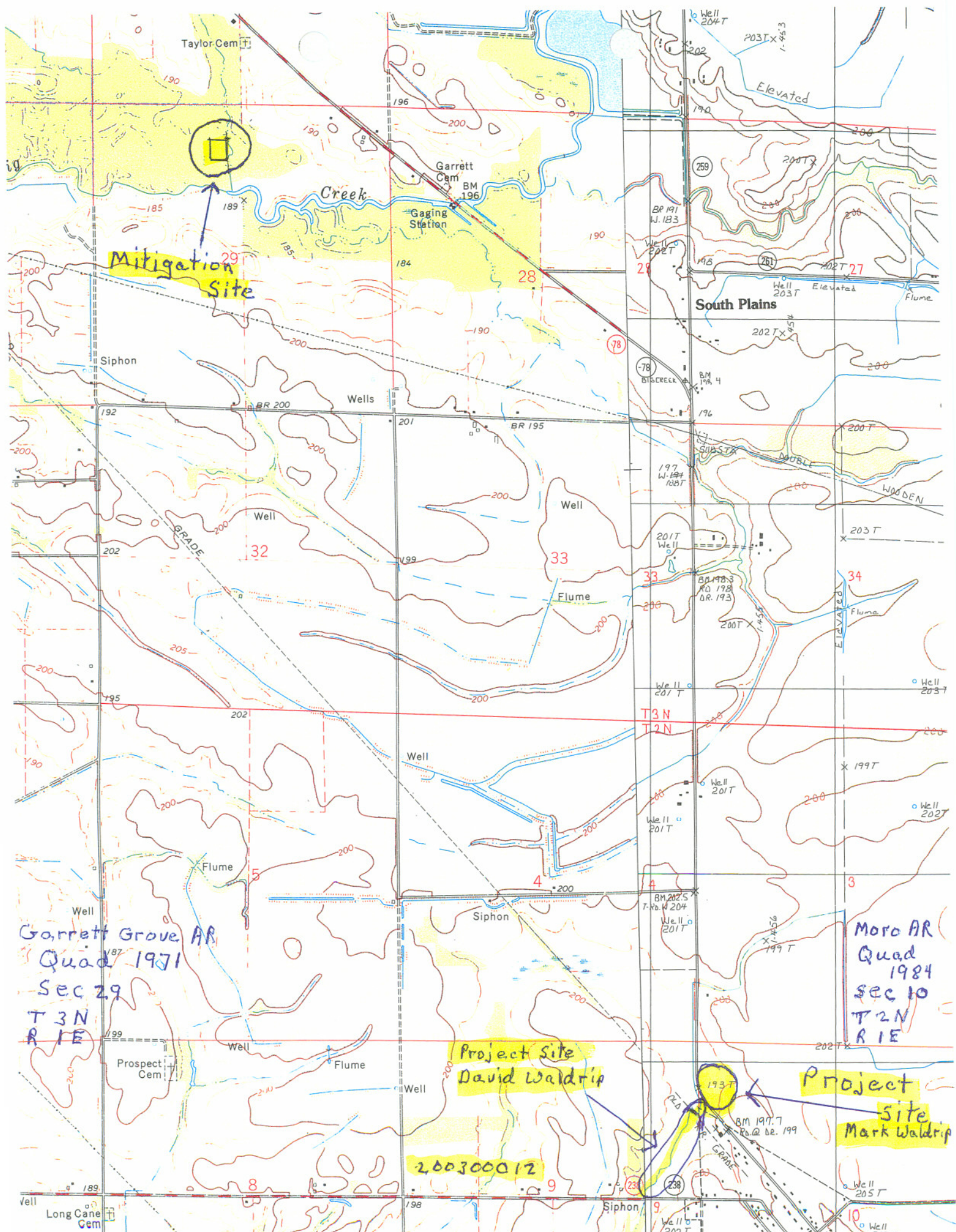
COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Reggie Wuornos at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-0731. The Corps may provide copies of all comments, including the names and address of commenters, to the applicant for consideration and response prior to a decision.

Comments should be received by February 27, 2004.



Larry D. Watson
Chief
Regulatory Branch

Attachments



Mitigation Site

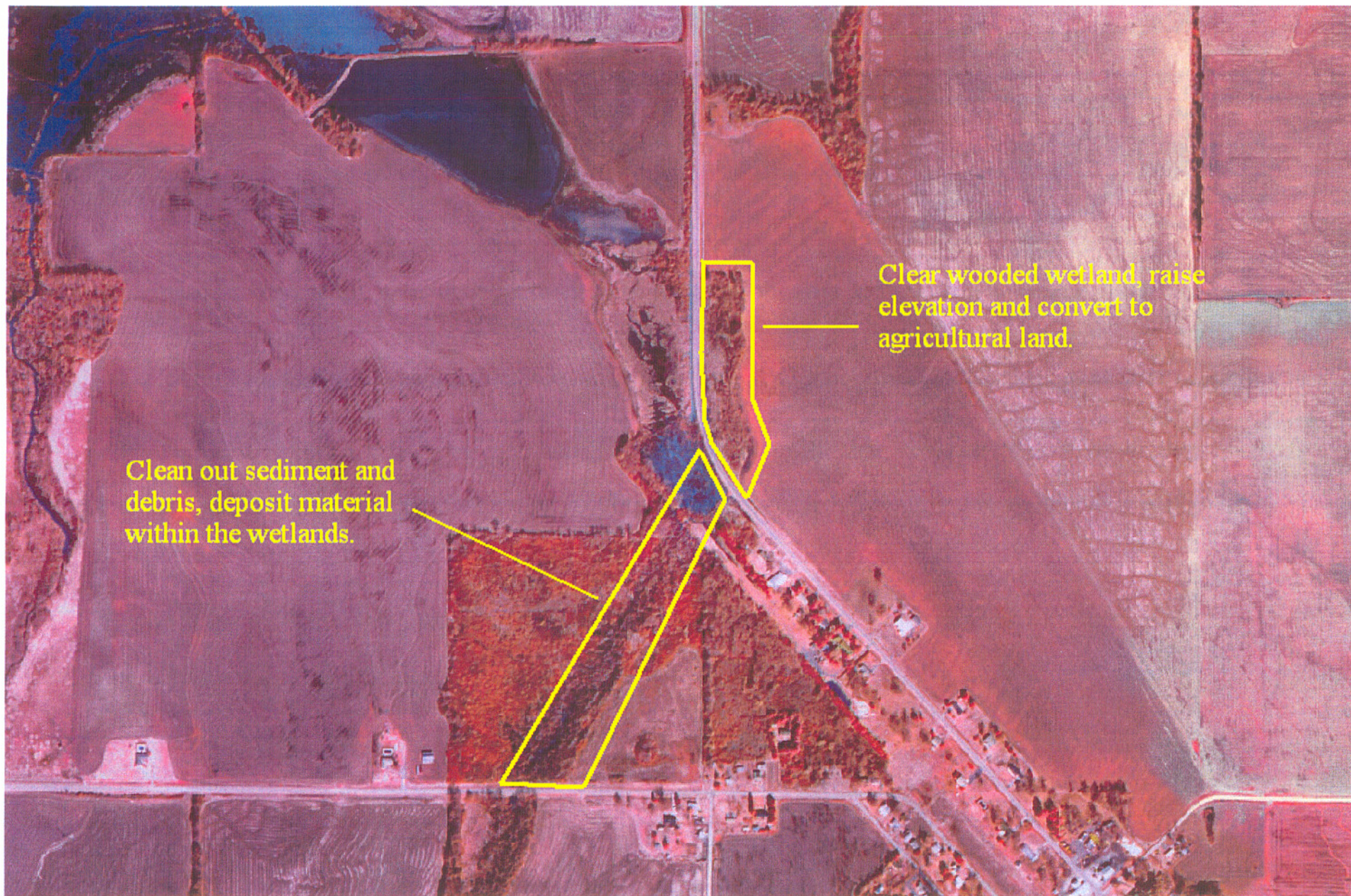
Project Site
David Waldrip

Project Site
Mark Waldrip

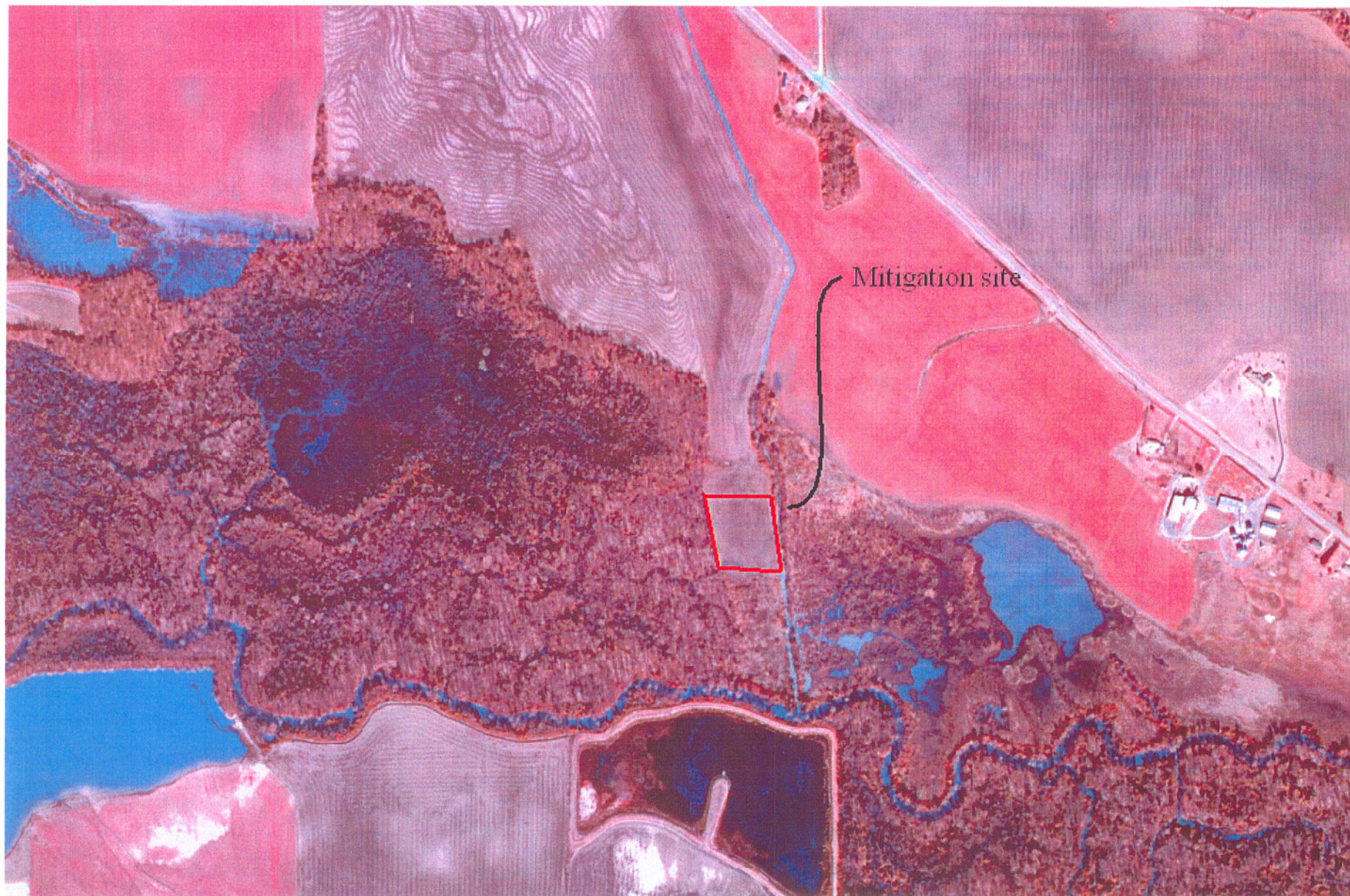
Garrett Grove AR
Quad 1971
Sec 29
T 3N
R 1E

Moro AR
Quad 1984
Sec 10
T 2N
R 1E

200300012



200300012 Mark Waldrip, City of Moro; Mayor David Waldrip; Project Site. DOQQ CIR Aerial Photo, Moro AR Quad, Zone 15, Sec10, T2N, R1E



200300012; City of Moro, AR Mitigation site; DOQQ CIR Aerial Photo; Garrett Grove AR Quad; Zone 15, Section 29, T 3N, R 1E. The mitigation site is designated as prior converted cropland.